

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS' MEETING
Tuesday, April 24, 2012**

Present: Commissioner President Francis Jack Russell
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Todd B. Morgan
John Savich, County Administrator
Sharon Ferris (Recorder)

Absent: Commissioner Daniel L. Morris

CALL TO ORDER

Commissioner President Russell called the business meeting to order at 9:00 am in the Chesapeake Building meeting room, Governmental Center.

APPROVAL OF MINUTES

Commissioner Jones moved, seconded by Commissioner Jarboe, to adopt the minutes of April 17, 2012, as presented. Motion carried 4-0.

INVITATION TO CHRISTMAS IN APRIL 22ND NATIONAL REBUILDING DAY

Present: Mary Ann Chasen, Director, Christmas in April
Howard Thompson, President, Christmas in April

The Commissioners were invited to participate in the Christmas in April National Rebuilding Day on Saturday, April 28, 2012. Over the past 22 years more than 600 homes throughout the county has benefited from this program with an additional 20 homes slated for this year. Although 1200 individuals have volunteered to participate, skilled laborers such as electricians, plumbers, and roofers are still needed.

PROPOSED RESOLUTION TO WAIVE LANDFILL FEES ASSOCIATED WITH NATIONAL REBUILDING DAY

Present: Richard Tarr, Solid Waste Manager, Dept. of Public Works and Transportation
Mary Ann Chasen, Director, Christmas in April
Howard Thompson, President, Christmas in April

Mr. Tarr noted that approximately 100 tons of waste materials will be generated as a result of the Christmas in April Program and requested that landfill fees be waived for the debris from this project.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to adopt a Resolution waiving the landfill fees associated with the Christmas in April program scheduled for April 28, 2012. Motion carried 4-0.

DECISION ON PROPOSED MORGAN ROAD REALIGNMENT AT INTERSECTION WITH PROPOSED PRESTON COURT IN BROYHILL SUBDIVISION

Present: George Erichsen, Director, Dept. Public Works and Transportation
Phil Shire, Director, Dept. of Land Use and Growth Management

A Public Hearing was held on December 13, 2011, for the proposed realignment of Morgan Road with the proposed Preston Court. Testimony was presented by several individuals. Following the open comment period, the Commissioners responded to citizens' questions via a letter dated January 10, 2012. On January 31, 2012, the issue was brought before the Commissioners again and the Commissioners voted to table the proposed Ordinance pending preliminary approval of the proposed subdivision by the St. Mary's County Planning Commission. Approval for the Broyhill Subdivision was granted by the Planning Commission on March 12, 2012 contingent upon approval of the re-alignment of Morgan Road by the Board of County Commissioners.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to adopt the proposed Ordinance for the Re-alignment of Morgan Road, County Route 30173. Motion carried 4-0.

COUNTY ADMINISTRATOR

1. Draft Agendas for May 1 and 8, 2012.
2. **Department of Recreation and Parks** (*Brian Loewe, Director; David Guyther, Parks Manager*)

Commissioner Jones moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to sign the Application for Business License for the Wicomico Shores Golf Course in order to facilitate the name change from Phillip Rollins to the Commissioners of St. Mary's County. Motion carried 4-0.

3. Department of Public Works and Transportation (*George Erichsen, Director*)

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to execute the Amendment to the Project Loan Agreement for the Kingston Creek Waterway Improvement District from the Maryland Department of Natural Resources (DNR) in the amount of \$263,591.15. I further move to authorize staff to schedule the associated Levy Ordinance Public Hearing following the DNR's final approval of the Amendment. Motion carried 4-0.

Commissioner Morgan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner President Russell to execute the letter of agreement extending the Grant Term from June 1 to July 1, 2012 for the Maryland Energy Administration EmPOWER Energy Efficiency and Conservation Block Grant, Project PF1007. Motion carried 4-0.

4. Sheriff's Office (*Captain Willenborg, Erin K. Shoemaker, Fiscal Manager*)

Commissioner Jarboe moved, seconded by Commissioner Jones, to authorize the Sheriff's Office staff to submit the grant application documents electronically for the Edward Bryne Memorial Justice Assistance (JAG) Program FY2012 Local Solicitation Grant, US1336, in the amount of \$21,473 consistent with the grant solicitation with full document review at the award stage. Motion carried 4-0.

5. Department of Public Safety and Information Technology (*Bob Kelly, Director*)

Commissioner Jarboe moved, seconded by Commissioner Morgan, to approve and authorize Commissioner President Russell to sign the Memorandum of Agreement between the Federal Emergency Management Agency and St. Mary's County for the Integrated Public Alert and Warning Systems. Motion carried 4-0.

Commissioner Morgan moved, seconded by Commissioner Jones, to approve and authorize the Department of Public Safety and Information Technology staff to submit the grant application documents electronically for the Hazardous Materials Emergency Preparedness, Project US1334, from the State of Maryland in the amount of \$10,500. Motion carried 4-0.

BOCC APPOINTMENT OF COMMISSIONER TRUSTEE TO THE RETIREE BENEFIT TRUST OF ST. MARY'S COUNTY'S BOARD OF TRUSTEES

Commissioner Jones moved, seconded by Commissioner Morgan, to appoint Commissioner Lawrence D. Jarboe to the Commissioner trustee position on the Retiree Benefit Trust of St. Mary's County's Board of Trustees. Motion carried 3-0. 1 Abstention. Commissioner Jarboe abstained.

The term of the appointee selected today will run until 2014.

MOTION TO ENTER INTO EXECUTIVE SESSION

Commissioner Morgan moved, seconded by Commissioner Jones, to go into Executive Session before we take up the Watershed Improvement Plan. Motion carried 4-0.

EXECUTIVE SESSION

Property Acquisition

Present: Commissioner Francis Jack Russell, President
Commissioner Lawrence D. Jarboe
Commissioner Cynthia L. Jones
Commissioner Todd B. Morgan
John Savich, County Administrator
George Erichsen, Director, DPW&T
Donna Gebicke, Administrative Assistant
Authority: Article 24, Section 4-210(a)11
Time Held: 9:50 am – 9:58 am
Subject Discussed: Property Acquisition (related to Dr. Johnson Bridge Replacement Project)

Commissioner Morgan moved, seconded by Commissioner Jarboe to direct staff to proceed with the land acquisition process for the St. Johnson Road Bridge Structure (Project HW-100) as discussed in Executive Session. Motion carried 4-0.

WATERSHED IMPLEMENTATION PLAN PHASE II –FINAL STRATEGIES AND PROCESS FOR CWSP UPDATE

Present: Phil Shire, Director, Dept. Land Use and Growth Management
Sue Veith, Environmental Planner, Dept. of Land Use and Growth Management & WIP Coordinator

Mr. Shire noted the significant economic and programmatic impacts the Watershed Implementation Plan Phase II program alone will have on land-use regulations and provided staff's initial thoughts on an action plan. An all-inclusive action plan is needed to achieve reasonable, workable, and affordable compliance with WIP, as well as the triennial Comprehensive Water and Sewerage Plan (CWSP) Update; Lexington Park Development District Master Plan Update; recently adopted State plans, particularly PlanMaryland and the Sustainable Agricultural Preservation Act (Septic Bill).

Ms. Veith's presentation included an overview of the Draft WIP Phase II recommendations, request for guidance on the source sectors (Sewer, Septic, Urban, and Agriculture), and a suggested process for the Board's final approval of the WIP Phase II plan.

There was consensus among the BOCC on the following points as to how staff should proceed towards approval of a local plan by the end of June 2012.

- Reaffirm support for the recommended WIP Phase II strategies that support WIP implementation and the 2012-1013 milestones that are already included in the CIP.
- Without committing any financial resources, commit to doing further investigation and analysis of those items that fall under existing plans (Comprehensive Plan, CWSP, and other functional plans) as possible for future milestones and how they would be funded.
- Develop a WIP Scope of Work and include discussion as to whether to hire a consultant service or seek grant opportunities to support development of future milestones and implementation proposals (for 2014 through 2025) in the May work sessions on the FY 2013 budget.
- Consider and recommend to the BOCC multiple ways to ensure that the public has an opportunity to provide input on the Plan.
- Follow WIP related 2012 legislative activity and prepare recommendations to the BOCC for consideration regarding any actions necessary to implement state mandates and deadlines and provide updates on specific areas of concern that the Board may want to communicate directly back to the state.
- Proceed with discussions with the Maryland Department of Planning regarding St. Mary's County's participation in a pilot project to determine how to do mapping for tiers and planning for preservation areas.

Mr. Shire advised that prior to new state regulations going into effect, the state will allow local jurisdictions to redefine minor subdivisions by increasing the lots per subdivision up to seven. St. Mary's County's policy is currently five lots per minor subdivision, and if not amended at this time, there will be no opportunity to revise in the future.

Now that PlanMaryland is entering the implementation phase along with a number of other initiatives from the state, Commissioner Jones requested biweekly updates from staff so that the Board can ensure that everyone understands what is taking place.

COMMISSIONER'S TIME

The Commissioners highlighted events attended over the past week.

Commissioner Jarboe asked that an update of the Sign Ordinance to be added to a future agenda.

ADJOURNMENT

Commissioner Russell adjourned the Board of County Commissioners meeting at approximately 11:20 pm.

Minutes Approved by the Board of County Commissioners on _____

Sharon Ferris, Senior Administrative Coordinator (Recorder)